

03-28-02

Express Mail # EV093668537US

DAC
#3

Attorney Docket # 2132-48PCON

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of
Mariette LEHTO

Serial No.: 09/903,225

Filed: July 11, 2001

For: Method and System For Effecting Payments By
Means Of A Mobile Station

Examiner: Not Yet Assigned
Group Art: Not Yet Assigned

#3

RECEIVED

MAR 29 2002

OFFICE OF PETITIONS

Assistant Commissioner for Patents
Washington, DC 20231

PETITION

SIR:

This Petition is submitted pursuant to 35 U.S.C §118 and 37 C.F.R. §1.47(b) to request that the U.S. Patent and Trademark Office ("PTO") accept the filing of the above-identified US Patent Application by Sonera Oyj, a corporation of Finland, *in lieu* of by the sole inventor, Mariette Lehto, on the ground that Ms. Lehto has refused to sign the Declaration in support of the subject US application.

The undersigned, and other attorneys in the law firm of the undersigned, are the attorneys for Sonera Oyj (formerly known as Sonera Oy¹), a corporation of Finland. The undersigned is empowered and has the authority to act on behalf of Sonera Oyj, which is the proper and lawful owner of the invention of the subject US application.

¹ The change of name of the Finnish company "Sonera Oy" to "Sonera Oyj" was an obligatory change when the company was listed on the Finnish Stock Exchange. An English-language translation of 03/29/2002 AWONDAF1 00000037 09903225

In brief, and as explained more fully below, (1) Ms. Lehto has refused to sign the Declaration in support of this application, (2) Ms. Lehto has acknowledged her obligation to assign to Sonera Oyj the U.S. application which is the subject of this Petition by having already executed an assignment of the Finnish priority patent application directed to the same invention as the subject U.S. application, and (3) as an employee of Sonera Oyj at the time that the invention was made, Ms. Lehto is in any event required, as a matter of Finnish statutory law, to assign the invention which is the subject of this U.S. application to Sonera Oyj.

On July 11, 2001, the undersigned filed (by U.S. Postal Service Express Mail) the papers necessary to obtain a filing date for a new U.S. patent application under 35 U.S.C. §1.53(b), based on the priority of Finnish patent application No. 990,053, filed January 13, 1999, and International (PCT) Patent Application No. PCT/FI00/00020, which had been filed on January 12, 2000 and in which the United States was properly designated. This Section 1.53(b) filing request was accompanied, *inter alia*, by an unexecuted Declaration of the sole inventor, Ms. Mariette Lehto.

The Finnish priority application was filed by Sonera Oy (now Sonera Oyj) as applicant, and the International priority application was filed by Sonera Oyj as applicant (for all countries except the United States, with respect to which Ms. Lehto was named as applicant). Both priority applications are directed to the same invention as that disclosed and claimed in the subject U.S. application. Ms. Lehto, as inventor, executed an Assignment of the Finnish priority application to Sonera Oy (a copy of that Assignment is attached to the Declaration of Markku Simmelvuo, Exhibit 2 hereto; a copy is also attached to the Declaration of Anni Vepsäläinen, Exhibit 3 hereto).

the extract for Sonera Oyj from the Finnish Register of Companies is attached as Exhibit 1 hereto.

As noted above, the U.S. application which is the subject of this Petition was filed on July 11, 2001 and was accompanied on filing by an unexecuted Declaration of the sole inventor, Ms. Mariette Lehto. The unexecuted Declaration identified the undersigned and other members and employees of undersigned's law firm (Cohen, Pontani, Lieberman & Pavane) as the record attorneys for the application, and identified undersigned's law firm as the mailing address for all correspondence in connection with the application.

On July 27, 2001 - having received back from the PTO the return receipt postcard which had been filed with the application papers on July 11, 2001 and now bearing the Serial Number (09/903,225) that had been assigned to the application - the undersigned sent a letter to European patent attorney Markku Simmelvuo of the Finnish law firm Papula Oy, confirming the filing of the application. (We correspond with Sonera Oyj through the Finnish law firm Papula Oy, from whom we also receive the instructions of Sonera Oyj.) Our letter of July 27, 2001 enclosed a copy of the application as filed in the PTO on July 11, 2001, and requested that the Declaration and Power of Attorney attached to the end of the application papers be signed and dated by inventor Lehto and returned to us for filing in the PTO. A copy of that July 27, 2001 letter, and of the Declaration and Power of Attorney document (but omitting the remainder of the application to which the Declaration document was attached) that accompanied that letter, is attached as Exhibit 4 hereto.

On August 27, 2001, a paper entitled "Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b)", noting the lack of an executed Oath or Declaration of the inventor, was mailed to the undersigned by the PTO. That Notice was received by undersigned's law office on September 7, 2001. A copy of that Notice, as received on September 7, 2001, is attached as Exhibit 5 hereto.

On September 12, 2001, the undersigned informed European patent attorney Markku Simmelvuo of our receipt of the Notice to File Missing Parts, and provided Mr. Simmelvuo with an accompanying copy of the Notice by fax. (A copy of the September 12, 2001 fax - on which additional notations indicating the dates on which the fax was resent to Mr. Simmelvuo as a reminder of the deadline(s) for filing of the executed Declaration - is attached as Exhibit 6 hereto.)

Sonera Oyj first forwarded a copy of the U.S. application and accompanying Declaration to inventor Lehto for execution in or about July, 2001. Despite Sonera Oyj's efforts to obtain the signature of Ms. Lehto on the required Declaration, the inventor has refused to sign the document and thereby necessitated the filing of this Petition. (See the Declaration of Anni Vepsäläinen, Exhibit 3 hereto.)

Inventor Mariette Lehto's last-known, and on information and belief her current, address is 7 Tredegar House, 97-99 Bow Road, Bow, London E3 2AN, Great Britain. All communications with Ms. Lehto seeking her signature on the Declaration for the subject U.S. application have been directed to that address.

Ms. Lehto is under a duty to assign the subject U.S. patent application to Sonera Oyj as a direct consequence of hers employment by Sonera Oyj/Sonera Oyj. The attached Exhibit 2 Declaration of European Patent Attorney Markku Simmelvuo, of the Finnish patent firm Papula Oy, states that under Finnish statutory law an employee's inventions are owned by the employee, in this case Sonera Oyj. Attached to the Exhibit 2 Declaration of Mr. Simmelvuo is a Certification evidencing the employment of inventor Lehto by Sonera from February 5, 1991 to December 31, 1998 - a period that includes the time that the invention of the priority Finnish patent application, and correspondingly of the subject U.S. application, was made.

In addition, as also noted above, Ms. Lehto has already expressly assigned the underlying priority Finnish patent application to Sonera Oyj (see the attachments to Exhibits 2 and 3), evidencing her recognition and acknowledgement (at a time that she was being cooperative) of ownership of the subject invention in Sonera Oyj.

Thus, Sonera Oyj is the proper, legitimate and lawful owner of the invention set forth in the subject U.S. patent application and, since Ms. Lehto as sole inventor of that invention has refused to sign the Declaration in support of the U.S. application, Sonera Oyj is the proper and permitted party to sign the Declaration and file the subject application in *lieu* of Ms. Lehto.

Also attached, as Exhibit 7 hereto, is a Declaration and Power of Attorney for the subject U.S. patent application which has been signed by the General Counsel and Ass. General Counsel of Sonera Oyj. These individuals are authorized to sign such documents on behalf of Sonera Oyj. (See Exhibit 1 hereto)

Sonera Oyj, as the lawful and legitimate owner of the invention which is the subject of the U.S. patent application to which this Petition is directed, will suffer irreparable damage unless it is permitted to sign the Declaration and file the U.S. application *in lieu* of the non-signing, sole inventor Mariette Lehto. Such irreparable damage is evidenced and established in this case in that the July 11, 2001 filing date of the U.S. application was the final day on which the U.S. application could have been filed in the United States to maintain the priority of Finnish Application No. 990,053 of January 13, 1999. Loss of that priority would now result in a statutory bar to patent protection of the invention in the United States, since the International Application was published on July 20, 2000.

Based on the foregoing and the enclosed, it is respectfully requested that the U.S. Patent and Trademark Office grant this Petition and accept the filing of the subject U.S. patent

application by Sonera Oyj in *lieu* of the sole inventor, Mariette Lehto, pursuant to 35 U.S.C. §118 and 37 C.F.R. §1.47(b).

The undersigned hereby declares that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and, further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A check in the amount of \$1,960.00 in payment of the government fee for a five-month extension of time, a check in the amount of \$130.00 in payment of the government fee for the filing of "missing parts" in response to the August 27, 2001 Notice, and a check in the amount of \$130.00 in payment of the government fee for the filing of this Petition, are enclosed herewith.

Any additional fees or charges required at this time in connection with the subject patent application may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

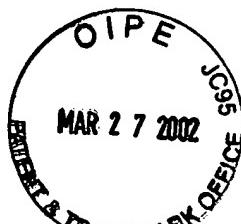
COHEN, PONTANI, LIEBERMAN & PAVANE

By _____

Lance J. Lieberman
Reg. No. 28,437
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: March 27, 2002

NATIONAL BOARD OF PATENTS AND REGISTRATION OF FINLAND



EXTRACT FROM THE TRADE REGISTER

Trade Name: Sonera Oyj

Business Identity Code:	1475607-9
Trade Register Number:	740.009
Company Registered:	30.06.1998
Company Form:	public limited company
Domicile:	Helsinki

Company's Contact Information:

Mailing Address: PL 106, 00051 Sonera
 Visiting Address: Teollisuuskatu 15, 00510 Helsinki

Register entries:

TRADE NAME (registered 01.10.1999)
 Sonera Oyj.

PARALLEL TRADE NAME (registered 01.10.1999)
 (English) Sonera Corporation.

DOMICILE (registered 30.06.1998)
 Helsinki.

BOARD OF DIRECTORS (registered 30.05.2001)

Chairman:
 Tapio Jussi Anselmi Hintikka
 Ordinary members:
 Jorma Tapio Laakkonen
 Eva Helena Maria Liljeblom
 Jussi Eerikki Länsiö
 Roger Ensio Talermo
 Esa Erkki Tihilä
 Tapio Johannes Vaahtokivi
 Tom Wilhelm von Weymarn
 Deputy members:
 Kari Ilmari Vilkman

OTHER MANAGEMENT (registered 11.10.2001)

Managing Director:
 Harri Eerik Koponen
 Substitute for the Managing Director:
 Aimo Eloholma

RECEIVED

MAR 29 2002

OFFICE OF PETITIONS

LEGAL REPRESENTATION (registered 03.07.1998)
Under the Companies Act, the Company's name is signed by the
Board of Directors.

SIGNING ON BEHALF OF THE COMPANY (registered 21.09.1998)
According to the articles of association, the company's name is
signed by the managing director on his own, and by two members
of the board of directors together.

AUTHORIZATION TO SIGN FOR THE COMPANY (registered 05.09.2001)

Aimo Eloholma
Kim Juhani Ignatius
Jari Vesa Jaakkola
Maire Annikki Laitinen
Kirsti Helinä Lehtovaara-Kolu
Pekka Heikki Juhani Reijonen
Esko Juhani Rytkönen
Leif Niklas Mikael Sonkin
Juha Pekka Varelius
Anni Kaarina Vepsälainen

Persons authorized to sign for the company sign two together or
each of them separately together with a member of the board.

PROCURATION RIGHTS (registered 12.11.2001)

Jari Juhani Kinnunen
Jukka Erkki Kämäri
Jukka Tapani Leinonen
Sirkka Anneli Marjakangas
Erkki Antero Oksanen
Tapani Mikael Pökkä
Lauri Pekka Takala
Jorma Leo Tukia
Tiia Silja Kristiina Tuovinen

The holders of procuration sign the company name two together or
each of them separately together with a member of the board or
with a person authorized to sign the company name.

TRADE NAME HISTORY:

01.10.1999 - Sonera Oyj
03.07.1998 - 30.09.1998 Sonera-yhtymä Oyj
30.06.1998 - 02.07.1998 Telecom Finland Yhtymä Oy

Helsinki, 17 Janaury 2002

For a true copy of the extract:

Tuija Surojegin
Administrative Officer

Fee 91,50 euro

March 12, 2002

STATEMENT

Sonera Oyj (formerly Sonera Oy) owns the rights to the invention "METHOD AND SYSTEM FOR THE EFFECTING PAYMENTS BY MEANS OF A MOBILE STATION", a patent application concerning which is pending in the USA under the application number 09/903,225. A patent has been applied for the invention also in Finland under the application number FI 990053 and with an international patent application PCT/FI00/00020. These applications are also the priority applications of the above-mentioned U.S. application.

With the enclosed assignment the sole inventor, Mariette Lehto, has transferred his rights to said invention "METHOD AND SYSTEM FOR THE EFFECTING PAYMENTS BY MEANS OF A MOBILE STATION" to Sonera Oy (at present Sonera Oyj). In the assignment it has been stated that the assignee gets a right to dispose the invention.

Enclosed please find an extract from the law about the employer's right to the inventions made by the employee with its translations into English. Section 4 of the law shows that if the invention was made when fulfilling the duties of the employee in employment, then the rights to the invention belong to the employer. This is very unambiguous, and based on this, the right to the invention belongs clearly to the employer of Lehto. We enclose a copy of the work contract which shows that Lehto was in an employment relationship with Sonera Oy at the time the invention, i.e. the Finnish application FI 990053, was made.

Helsinki



Markku Simmelvuo,

European patent attorney

PAPULA OY

Patentit, tavaramerkit ja mallit
 Patent, varumärken och mönster
 Patents, Trade Marks and Designs
 Patente, Warenzeichen und Muster

I C E :

SUOMI
FINLAND

ROBERT

SCHMIDT

SIIRTO

ÖVERLÄTELSE

ASSIGNMENT

ÜBERTRAGUNG

Tätten vanhivistaan, että
 oikeus

Harmed bekräftas, att
 rätten

Hereby it is confirmed that
 the right

Hiermit wird bestätigt, dass in
 Finnland das Recht

Suomessa seuraavaan

för Finland till följande

for Finland to the following

an folgende

- teknistöön
 prioritettiliin
 patentihakemuksaan
 patenttiin
 tavaramerkkinahemuksseen
 tavaramerkkiniin
 mallinhakemuksseen
 malliin
 hyödyllisyysmallinhakemuksseen
 hyödyllisyysmalliin

- uppfinning
 prioritet
 patentansökan
 patent
 varumärkianhemuksan
 varumärke
 monsternsökan
 monster
 nyttighetsmonsternsökan
 nyttighetsmonster

- invention
 priority
 patent application
 patent
 trademark application
 trademark
 design application
 design
 utility model application
 utility model

- Erfindung
 Priorität
 Patentanmeldung
 Patent
 Warenzeichenanmeldung
 Warenzeichen
 Musteranmeldung
 Muster
 Gebrauchsmusteranmeldung
 Gebrauchsmuster

nimittäin

namiligen

namely

namlich

MENETELMÄ JA JÄRJESTELMÄ MAKSUMALLINTAAN

on siirretty

har överläts på

has been assigned to

übertragen worden ist an

yhtiolle Sonera Oy
 Teollisuuskatu 15
 00510 Helsinki

Palkka, paivays ja allekirjoitus

: KI 16.9.98 Mariette
 Ort, datum och underskrift Lehto

Place, date and signature

Ort, Datum und Unterschrift

Mariette Lehto

Ei vahvistusta
 Ingen legalisering
 No legalization
 Keine Beglaubigung

PAPULA
 GROUP

Rekisteroidyt patenttilawiammentit
 Registered Patent Attorneys
 European Patent Attorneys

PAPULA and NEVIPAT offices,
 specialists in industrial property
 rights in Finland and the former
 USSR countries.

26-03-02 18:26 Läh.-PAPULA GROUP
26. MAAR. 2002 18.15 DUNI LEGAL/IT IN VOLUNTARY

+358934800631

T-419 S.09/09 F-644

1 (1)

sonera

Personnel Services Unit
Nina Räsänen, tel. +358 2040 59964

March 26, 2002

CERTIFICATION OF EMPLOYMENT RELATIONSHIP

Hereby I certify that Mariette Lehto (born Dec. 9, 1968) was employed by Sonera Corporation from Feb 5 1991 to Dec. 31, 1998.

SONERA CORPORATION
Personnel Services Unit


Nina Räsänen

HR Officer



IN THE US PATENT AND TRADE-MARK OFFICE

IN THE MATTER OF US 09/903,225 for the FI-990053, of 13 January 1999 METHOD AND SYSTEM FOR THE EFFECTING PAYMENTS BY MEANS OF A MOBILE STATION

AFFIDAVIT FOR THE ABOVE NOTED MATTER IN THE US PATENT AND TRADE MARK OFFICE

✓ I, *Anni Kepsäläinen*, of Sonera Oyj (formerly Spnera Oy), MAKE OATH AND SAY AS FOLLOWS:

- nimensel-
vennys
(esi mites)
1. I am employed by Sonera Oyj of Helsinki, Finland
 2. I am currently overseeing the matter of the registration of US patent application US 09/903,225 for us.
 3. In 1999, we filed a patent application FI 990053. The application was filed on 13 January 1999.
 4. In 1999 we filed an international application under the Patent Co-Operation Treaty (hereinafter "PCT") claiming the Finnish filing date as the priority date.
 5. We prepared the Finnish patent application FI 990053, under the direction of Mariette Lehto, employee of Sonera Oy at that time. Ms. Lehto was also the sole inventor of the subject patent.
 6. According to Finnish law, and more specifically, to the statute of the Laws of Employees Inventions, all inventions created during the time of an individual's employment with a company, are property of the employer. Ms. Lehto must execute all documents which are needed to ensure the subject invention is patented because she was an employee of Sonera Oy and helped create an invention at the time. Attached hereto is an assignment. It serves as evidence to demonstrate the co-operation of Ms. Lehto prior to her decision not to execute documents needed for the subject patent.
 7. According to the law and decree of employee inventions, Sonera Oyj has the rights to the invention in question and Ms. Lehto is obliged to sign all the documents needed in the patenting process with respect of the invention.
 8. Again referring to assignment, Ms. Lehto, confirms that the rights to the subject invention, under the Finnish law belong to Sonera Oyj. By executing the patent document, she relinquishes her interests and rights to the invention.
 9. Within 30 months of the priority date, 13 July 2001, the international application entered the national stage.
 10. On or about July, 2001, we prepared declaration for the US national stage application. After completed, we delivered the declaration together with specification to Mariette Lehto and did not receive a signed declaration.

11

As I have not received any signed declaration, I regard this as a refusal of signing a declaration

Päivän

HELSINKI dated 26.3.2002

X Aleksi Uotila

nimensel- → Anni Rissanen
vennys
SENIOR VICE PRESIDENT
MOBILE OPERATIONS
SONERA OYJ

Patentit, tavaramerkit ja mallit
 Patent, varumärken och mönster
 Patents, Trade Marks and Designs
 Patente, Warenzeichen und Muster

I (E-)

SUOMI
FINLAND

KOÖDIWIFI FTTH2000 ELLA
 SC-ETI - 2000 100%

SIIRTO	ÖVERLÄTELSE	ASSIGNMENT	ÜBERTRAGUNG
Tätén vanvistetaan, että oikeus	Härmed bekräftas, att rätten	Hereby it is confirmed that the right	Hiermit wird bestätigt, dass in Finnland das Recht
Suomessa seuraavään	för Finland till följdne	för Finland to the following	an folgende
<input checked="" type="checkbox"/> tekniseen <input type="checkbox"/> prioritetin <input checked="" type="checkbox"/> patentinakemukseen <input type="checkbox"/> patenttiin <input type="checkbox"/> tavaramerkkinakemukseen <input type="checkbox"/> tavaramerkkiin <input type="checkbox"/> mallinakemukseen <input type="checkbox"/> malliin <input type="checkbox"/> hyödyllisyysmallinakemukseen <input type="checkbox"/> hyödyllisyysmalliin	<input type="checkbox"/> upptäckning <input type="checkbox"/> priority <input type="checkbox"/> patentansökan <input type="checkbox"/> patent <input type="checkbox"/> varumarkesansökan <input type="checkbox"/> varumärke <input type="checkbox"/> monsteraansökan <input type="checkbox"/> monster <input type="checkbox"/> nyttighetsmonsteraansökan <input type="checkbox"/> nyttighetsmonster	<input type="checkbox"/> invention <input type="checkbox"/> priority <input type="checkbox"/> patent application <input type="checkbox"/> patent <input type="checkbox"/> trademark application <input type="checkbox"/> trademark <input type="checkbox"/> design application <input type="checkbox"/> design <input type="checkbox"/> utility model application <input type="checkbox"/> utility model	<input type="checkbox"/> Erfindung <input type="checkbox"/> Priorität <input type="checkbox"/> Patentanmeldung <input type="checkbox"/> Patent <input type="checkbox"/> Warenzeichenanmeldung <input type="checkbox"/> Warenzeichen <input type="checkbox"/> Musteranmeldung <input type="checkbox"/> Muster <input type="checkbox"/> Gebrauchsmusteranmeldung <input type="checkbox"/> Gebrauchsmuster
nimittäin	nämäkin	namely	namlich

MENETELMÄ JA JÄRJESTELMÄ MAKSUNHALLINTAAN

on siirretty har överläts på has been assigned to übertragen worden ist an

yhtiölle Sonera Oy
 Teollisuuskatu 15
 00510 Helsinki

Parkka, paivays ja allekirjoitus

Ort, datum och underskrift

16.3.1998 Marianne Lehto

Place, date and signature

Ort, Datum und Unterschrift

Marianne Lehto

Ei vanvistusta
 ingen legalisering
 No legalization
 Keine Beglaubigung


**PAPULA
GROUP**

Reisteroidyt patenttiasiamieset
 Registered Patent Attorneys
 European Patent Attorneys

PAPULA and NEVINPAT offices.
 specialists in industrial property
 rights in Finland and the former
 USSR countries

COHEN, PONTANI, LIEBERMAN & PAVANE

COUNSELLORS AT LAW

PATENTS, TRADEMARKS & COPYRIGHTS

551 FIFTH AVENUE

NEW YORK, NEW YORK 10176

MYRON COHEN
THOMAS C. PONTANI, PH.D.
LANCE J. LIEBERMAN
MARTIN B. PAVANE
MICHAEL C. STUART
WILLIAM A. ALPER
KLAUS P. STOFFEL
EDWARD M. WEISZ

TEL: (212) 687-2770
FAX: (212) 972-5487

YUNLING REN, PH.D.
JULIA S. KIM
MINDY H. CHETTIH
VINCENT M. FAZZARI
CATRIONA M. COLLINS
ALFRED W. FROEBRICH
ALFRED H. HEMINGWAY, JR.
KENT H. CHENG, PH.D.
ROGER S. THOMPSON
JEREMY A. KAUFMAN
GEORGE J. BRANDT, JR.
TEODOR J. HOLMBERG
F. BRICE FALLER

July 27, 2001

Markku Simmelvuo, Esq.

Papula Oy
Box 981
SF-00101 Helsinki
Finland

Re: New U.S. Patent Application

For: Method and System for the Effecting Payments by Means of a
Mobile Station

Your Ref.: 14788S

Our File No. 2132-48PCON

Dear Markku:

Per your letter of 4 July 2001, we filed the above-identified patent application in the United States Patent and Trademark Office on 11 July 2001 in order to preserve the convention priority. A copy of the application as filed is enclosed.

Since the application was filed in unexecuted condition -- and we have received the Serial No. that has been assigned to this application, would you, therefore, please have the inventor -- **Mariette LEHTO** -- sign and date the Declaration and Power of Attorney, as well as the enclosed Assignment document and return both to us at your earliest convenience.

We shall file the Declaration and Power of Attorney as soon as we receive a paper from the Patent and Trademark Office entitled "Notice to File Missing Parts - Filing Date Granted. As usual, we shall file the Assignment document upon allowance of the application.

Also enclosed is our invoice for services rendered in connection herewith.

In view of the disclosure rules of the U.S. Patent and Trademark Office, please provide us as soon as possible with a copy of all references mentioned in the application, if any, and of any

COHEN, PONTANI, LIEBERMAN & PAVANE

Markku Simmelvuo, Esq.

July 27, 2001

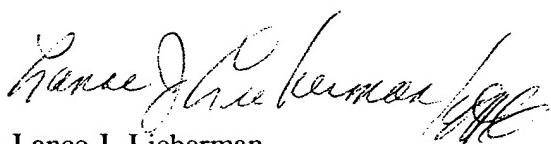
Page 2

additional prior art of which you are or may become aware, especially any prior art cited in a corresponding foreign application.

With best regards.

Very truly yours,

COHEN, PONTANI, LIEBERMAN & PAVANE



Lance J. Lieberman

LJL/LAK
Enclosures

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND SYSTEM FOR THE EFFECTING PAYMENTS BY MEANS OF A MOBILE STATION

the specification of which was filed on July 11, 2001 and accorded Serial No. 09/903,225.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I also acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 CFR 1.63(d), which occurred between the filing date of the prior application and the filing date of the continuation-in-part application, if this is a continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

MYRON COHEN, Reg. No. 17,358; THOMAS C. PONTANI, Reg. No. 29,763; LANCE J. LIEBERMAN, Reg. No. 28,437; MARTIN B. PAVANE, Reg. No. 28,337; MICHAEL C. STUART, Reg. No. 35,698; KLAUS P. STOFFEL, Reg. No. 31,668; EDWARD M. WEISZ, Reg. No. 37,257; JULIA S. KIM, Reg. No. 36,567; VINCENT M. FAZZARI, Reg. No. 26,879; ALFRED W. FROEBRICH, Reg. No. 38,887; KENT H. CHENG, Reg. No. 33,849; ROGER S. THOMPSON, Reg. No. 29,594; GEORGE J. BRANDT, JR., Reg. No. 22,021; F. BRICE FALLER, Reg. No. 29,532 and YUNLING REN, Reg. No. 47,019,

Address all telephone calls to Lance J. Lieberman, Esq. at telephone No. (212) 687-2770.

Address all correspondence to:

Lance J. Lieberman, Esq.
Cohen, Pontani, Lieberman & Pavane
551 Fifth Avenue, Suite 1210
New York, New York 10176

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor: Mariette LEHTO

Inventor's signature: _____

Dated: _____
Month/Day/Year

Residence: **7 Tredegar House, 97-99 Bow Road, Bow,
London, E3 2AN, Great Britain**

Citizenship: **Finland**

Post Office Address: **7 Tredegar House, 97-99 Bow Road, Bow
London, E3 2AN, Great Britain**



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/903,225	07/11/2001	Mariette Lehto	2132-48PCON

CONFIRMATION NO. 9956
FORMALITIES LETTER

COHEN, PONTANI, LIEBERMAN & PAVANE
 Suite 1210
 551 Fifth Avenue
 New York, NY 10176

DOCKETED

NY 27 Oct 01



OC000000006475924

Date Mailed: 08/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*


 Customer Service Center
 Initial Patent Examination Division (703) 308-1202
 PART 1 - ATTORNEY/APPLICANT COPY

03/29/2002 AWONDAF1 00000037 09903225

03 FC:105

130.00 OP

P04799080

**COHEN, PONTANI,
LIEBERMAN & PAVANE**

551 Fifth Avenue (Suite 1210)
New York, New York 10176
Tel: 212-687-2770
Fax: 212-972-5487

URGENT

REMINDER

*19 October 2001
27 November 2001
27 December 2001
27 January 2002*

Fax

To:	Markku Simmelvuo	From:	Lance J. Lieberman
Fax:	011 358 9 3480 0630	Pages:	1 (total number of pages)
Re:	14788 - 2132-48PCON	Date:	Wednesday, September 12, 2001

Confirmation will follow

No confirmation to follow

We have now received a Notice to File Missing Parts, a copy of which is attached. The schedule is as follows:

- 10/27/01 - no file (except for \$130 late declaration fee)
- 11/27/01 - one month extension
- 12/27/01 - two month extension
- 01/27/02 - three month extension
- 02/27/02 - four month extension
- 03/27/02 - five month extension (final nonextendable due date)

We look forward to the receipt of the executed Declaration as soon as possible.

Confidentiality Statement

This transmission may contain information which is legally privileged or otherwise protected from disclosure. Its contents are confidential and intended for the addressee only, and must not be used, copied or disseminated by any person other than the addressee. The recipient is requested to notify the sender immediately of any error in transmission and to destroy any transmission not intended for the recipient.

If all pages are not received
or you otherwise experience transmission difficulties
Please call us at (212) 687-2770

FAXED
09/12/01
RK

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND SYSTEM FOR THE EFFECTING PAYMENTS BY MEANS OF A MOBILE STATION

the specification of which has been filed under Serial No. 09/903,225 on July 11, 2001.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I also acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 CFR 1.63(d), which occurred between the filing date of the prior application and the filing date of the continuation-in-part application, if this is a continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application:	Country: Finland
	Appln. No.: 990053
	Filed: January 13, 1999

Prior Foreign Application:	Country: PCT
	Appln. No.: PCT/FI00/00020
	Filed: January 12, 2000

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

MYRON COHEN, Reg. No. 17,358; THOMAS C. PONTANI, Reg. No. 29,763; LANCE J. LIEBERMAN, Reg. No. 28,437; MARTIN B. PAVANE, Reg. No. 28,337; MICHAEL C. STUART, Reg. No. 35,698; KLAUS P. STOFFEL, Reg. No. 31,668; EDWARD WEISZ, Reg. No. 37,257; VINCENT M. FAZZARI, Reg. No. 26,879; JULIA S. KIM, Reg. No. 36,567; ALFRED FROEBRICH, Reg. No. 38,887; ALFRED H. HEMINGWAY, JR., Reg. No. 26,736; KENT H. CHENG, Reg. No. 33,849; YUNLING REN, Reg. No. 47,019; ROGER S. THOMPSON, Reg. No. 29,594; BRICE FALLER, Reg. No. 29,532; DAVID J. ROSENBLUM, Reg. No. 37,709; TONY CHEN, Reg. No. 44,607; TEODOR J. HOLMBERG, Reg. No. 50,140.

Address all telephone calls to Lance J. Lieberman, Esq. at telephone No. (212) 687-2770

Address all correspondence to:

Lance J. Lieberman, Esq.
Cohen, Pontani, Lieberman & Pavane
551 Fifth Avenue, Suite 1210
New York, New York 10176

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor: Mariette LEHTO

Inventor's signature: _____

Dated: _____
Month/Day/Year

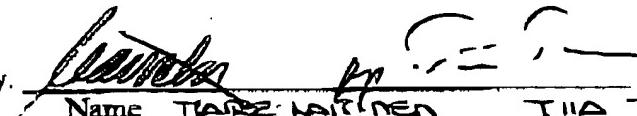
Residence: 7 Tredegar House, 97-99 Bow Road, Bow
London E3 2AN, Great Britain

Citizenship: Finland

Post Office Address: 7 Tredegar House, 97-99 Bow Road, Bow
London E3 2AN, Great Britain

Executed on behalf of Non-Signing Inventor Mariette Lehto by the party, Sonera Oyj, having proprietary interest in the above-identified patent application:

SONERA OYJ

X By: 

Name: TARO KAITINEN TIIA TUOVINEN
Title: GENERAL COUNSEL ASS. GENERAL COUNSEL

X Dated: _____

Month/Day/Year

Residence Address: TEOLLISUUSKATU 11, 00100 HELSINKI

Citizenship: FINNISH

Post Office Address: P.O. BOX 100, 00101 HELSINKI